



Entered on Docket
February 08, 2010

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

FRANCES HUERTA

(Debtor)

) **Case No.: 09-23716-MKN**
) **Chapter 13**

) **Hearing Date: 01/28/2010**

) **Hearing Time: 2:30 PM**

) **CRT RM: FOLEY FEDERAL BUILDING**

**ORDER GRANTING MOTION TO VACATE ORDER VACATING THE AUTOMATIC
STAY AS TO**

**U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE UNDER POOLING AND
SERVICING AGREEMENT DATED AS OF DECEMBER 1, 2006, MASTR ASSET
BACKED SECURITIES TRUST 2006-HE5 MORTGAGE PASS-THROUGH
CERTIFICATES SERIES 2006-HE5**

Debtor's MOTION TO VACATE ORDER VACATING THE AUTOMATIC STAY AS
TO U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE UNDER POOLING AND
SERVICING AGREEMENT DATED AS OF DECEMBER 1, 2006, MASTR ASSET
BACKED SECURITIES TRUST 2006-HE5 MORTGAGE PASS-THROUGH CERTIFICATES

SERIES 2006-HE5, having been duly filed and served on Creditor, having come before this Court for hearing on the date and time set forth above with Debtor appearing by and through her legal counsel Boris A. Avramski, Esq., of the law firm of Avramski Law, PC, and none of the named Creditors having appeared or otherwise having responded, and good cause appearing therefore.

IT IS HEREBY ORDERED THAT:

1. The Order Vacating the Automatic Stay as to US BANK shall be vacated;
2. The automatic stay shall be reinstated as to US BANK;
3. US BANK shall accept future payments from the Debtor;
4. US BANK shall provide an accounting of how all post-petition payments made by the Debtors have been applied since the instant Chapter 13 filing;
5. US BANK shall provide a reinstate amount, if any, to the Debtor within 10 days of the entry of the order.

Submitted on the 1st day of February, 2010.

Respectfully Submitted:

/s/BORIS AVRAMSKI, ESQ.
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ALTERNATIVE METHOD re: RULE 9021:

In accordance with Local Rule 9021, undersigned certifies:

☐ The court waived the requirements of LR 9021

☐ No parties appeared or filed written objections, and there is no trustee appointed in this case.

☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below:

☐ Approved Debtor(s) Attorney/Trustee

☐ Disapproved Debtor(s) Attorney/Trustee

☒ Failed To Respond Trustee

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